

Stricken language would be deleted from and underlined language would be added to present law.
Act 1245 of the Regular Session

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: H3/16/15 H3/24/15

A Bill

HOUSE BILL 1627

By: Representative C. Fite

For An Act To Be Entitled

AN ACT TO CREATE THE CHILD DEATH AND NEAR FATALITY
MULTIDISCIPLINARY REVIEW COMMITTEE; AND FOR OTHER
PURPOSES.

Subtitle

TO CREATE THE CHILD DEATH AND NEAR
FATALITY MULTIDISCIPLINARY REVIEW
COMMITTEE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 9, Chapter 25, Subchapter 1, is amended to add an additional section to read as follows:

9-25-105. Child Death And Near Fatality Multidisciplinary Review Committee – Membership – Powers.

(a)(1) The safety of children is a paramount concern for the citizens of Arkansas.

(2)(A) There are children who die from abuse or neglect or who have previously come into contact with the Division of Children and Family Services of the Department of Human Services whose deaths might have been prevented.

(B) The state has a responsibility to examine the deaths and near fatalities of children in order to identify strategies to prevent future deaths and near fatalities of children who are at similar risk of harm.

(3) The examination into deaths of children who have come into contact with the division requires multidisciplinary participation from the



community and experts in child welfare.

(4) The examination of deaths and near fatalities in contact with the division should include transparent and comprehensive review of the circumstances leading to the death or near fatality and the review process should lead to recommendations and actions to be implemented to prevent future child deaths and near fatalities.

(b) The Child Death And Near Fatality Multidisciplinary Review Committee is created to include the following members:

(1) The Director of the Division of Children and Family Services or his or her designee;

(2) One (1) member to represent the Division of Children and Family Services Family Service of the Department of Human Services Worker Supervisor as designated by the Director of the Division of Children and Family Services of the Department of Human Services;

(3) One (1) member to represent the Division of Children and Family Services of the Department of Human Services Investigations Supervisor as designated by the Director of the Division of Children and Family Services of the Department of Human Services;

(4) The Commander of the Crimes Against Children Division of the Department of Arkansas State Police or his or her designee;

(5) The Executive Director of the Arkansas Commission on Child Abuse, Rape and Domestic Violence or his or her designee;

(6) The Director of the Children's Advocacy Centers of Arkansas or his or her designee;

(7) The Director of the Arkansas State Court Appointed Special Advocates for Children Association or his or her designee;

(8) The Director of the Team for Children at Risk and Arkansas Children's House of the Arkansas Children's Hospital or his or her designee;

(9) The Director of the Dependency-Neglect Attorney Ad Litem Program or his or her designee;

(10) The Director of the Office of Policy and Legal Services of the Department of Human Services or his or her designee;

(11) The Director of the Office of the Prosecutor Coordinator or his or her designee;

(12) One (1) member appointed by the chair of the House Subcommittee on Children and Youth of the House Committee on Aging, Children,

and Youth, Legislative and Military Affairs;

(13) One (1) member appointed by the Chief Justice of the Arkansas Supreme Court;

(14) One (1) member appointed by the Governor; and

(15) One (1) member to be designated by the Arkansas Child Abuse/Rape/Domestic Violence Commission.

(c) The committee shall review all child deaths of children under eighteen (18) years of age who had contact with the Division of Children and Family Services of the Department of Human Services within twenty-four (24) months before death as determined by comparing records of deaths from the Division of Vital Records with information in the Children's Reporting and Information System.

(d) The committee shall review all deaths and near fatalities of children that have been reported through the Child Abuse Hotline.

(e)(1) The committee shall meet no less than one (1) time each quarter of the calendar year.

(2) A majority of the members of the committee shall constitute a quorum for the transaction of business.

(3) A vacancy arising among the appointed membership of the committee for reasons other than expiration of the regular terms for which the member was appointed shall be filled by appointment by the person who appointed the vacating member.

(4) At the expiration of the term of the initial chair, the committee shall elect a chair who shall serve a one (1) year term.

(f) The meetings shall be closed and information discussed at the meeting shall be confidential.

(g) No other individual shall be allowed to attend or participate in a meeting unless a majority of the members vote to request the attendance of a non-committee member.

(h) The Division of Children and Family Services of the Department of Human Services and the Crimes Against Children Division of the Department of Arkansas State Police shall provide the list of all child deaths and near fatalities to be reviewed and all records related to the child in physical or electronic format to the members of the committee no less than fourteen (14) calendar days before a scheduled meeting.

(i) The Department of Human Services shall provide to the committee a

summary of any internal child death or near fatality review with the actions and recommendations of the Department of Human Services.

(j) Materials and information provided to members of the committee shall not be disclosed except to the committee.

(k) The committee shall produce an annual report that shall contain a summary of findings, actions taken by the Department of Human Services or others and recommendations to each branch of state government to improve practices and prevent future child deaths or near fatalities.

(l) Each committee member may review the report and submit additional comments that shall be included as an addendum to the report.

(m) The annual report produced by the committee shall be presented to the House Committee on Aging, Children and Youth, Legislative and Military Affairs and shall be made available on the public disclosure of child deaths and near fatalities website of the Department of Human Services.

(n) A committee member shall not be reimbursed for expenses to travel to or participate on the committee.

(o) The Department of Human Services shall provide office space, materials, and staff assistance to the committee.

SECTION 2, DO NOT CODIFY. Within thirty (30) days of the appointment of the appointed members of the Child Death And Near Fatality Multidisciplinary Review Committee, the Director of the Department of Human Services shall call the first meeting of the committee.

SECTION 3. DO NOT CODIFY. (a) This act expires August 1, 2017.

(b) On or before August 1, 2017, the House Committee on Aging, Children and Youth, Legislative and Military Affairs shall review this act to determine whether the Child Death and Near Fatality Multidisciplinary Review Committee is needed.

/s/C. Fite

APPROVED: 04/08/2015